

AMENDMENT NO. _____

Calendar No. _____

Purpose: To propose a substitute.

IN THE SENATE OF THE UNITED STATES—108th Cong., 1st Sess.

H.R. 2297

To amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. SPECTER (for himself and Mr. GRAHAM of Florida)

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Veterans Benefits Act of 2003”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References to title 38, United States Code.

TITLE I—SURVIVOR BENEFITS

- Sec. 101. Retention of certain veterans survivor benefits for surviving spouses remarrying after age 57.
- Sec. 102. Benefits for children with spina bifida of veterans of certain service in Korea.
- Sec. 103. Alternative beneficiaries for National Service Life Insurance and United States Government Life Insurance.
- Sec. 104. Payment of benefits accrued and unpaid at time of death.

TITLE II—BENEFITS FOR FORMER PRISONERS OF WAR AND FOR FILIPINO VETERANS

SUBTITLE A—FORMER PRISONERS OF WAR

- Sec. 201. Presumptions of service-connection relating to diseases and disabilities of former prisoners of war.

SUBTITLE B—FILIPINO VETERANS

- Sec. 211. Rate of payment of benefits for certain Filipino veterans and their survivors residing in the United States.
- Sec. 212. Burial benefits for new Philippine Scouts residing in the United States.
- Sec. 213. Extension of authority to maintain regional office in the Republic of the Philippines.

TITLE III—EDUCATION BENEFITS, EMPLOYMENT PROVISIONS, AND RELATED MATTERS

- Sec. 301. Expansion of Montgomery GI Bill education benefits for certain self-employment training.
- Sec. 302. Increase in rates of survivors' and dependents' educational assistance.
- Sec. 303. Restoration of survivors' and dependents' education benefits of individuals being ordered to full-time National Guard duty.
- Sec. 304. Rounding down of certain cost-of-living adjustments on educational assistance.
- Sec. 305. Authorization for State approving agencies to approve certain entrepreneurship courses.
- Sec. 306. Repeal of provisions relating to obsolete education loan program.
- Sec. 307. Six-year extension of the Veterans' Advisory Committee on Education.
- Sec. 308. Procurement program for small business concerns owned and controlled by service-disabled veterans.
- Sec. 309. Outstationing of Transition Assistance Program personnel.

TITLE IV—HOUSING BENEFITS AND RELATED MATTERS

- Sec. 401. Authorization to provide adapted housing assistance to certain disabled members of the Armed Forces who remain on active duty.
- Sec. 402. Increase in amounts for certain adaptive benefits for disabled veterans.
- Sec. 403. Permanent authority for housing loans for members of the Selected Reserve.
- Sec. 404. Reinstatement of minimum requirements for sale of vendee loans.
- Sec. 405. Adjustment to home loan fees.

Sec. 406. One-year extension of procedures on liquidation sales of defaulted home loans guaranteed by the Department of Veterans Affairs.

TITLE V—BURIAL BENEFITS

Sec. 501. Burial plot allowance.

Sec. 502. Eligibility of surviving spouses who remarry for burial in national cemeteries.

Sec. 503. Permanent authority for State cemetery grants program.

TITLE VI—EXPOSURE TO HAZARDOUS SUBSTANCES

Sec. 601. Radiation Dose Reconstruction Program of Department of Defense.

Sec. 602. Study on disposition of Air Force Health Study.

Sec. 603. Funding of Medical Follow-Up Agency of Institute of Medicine of National Academy of Sciences for epidemiological research on members of the Armed Forces and veterans.

TITLE VII—OTHER MATTERS

Sec. 701. Time limitations on receipt of claim information pursuant to requests of Department of Veterans Affairs.

Sec. 702. Clarification of applicability of prohibition on assignment of veterans benefits to agreements requiring payment of future receipt of benefits.

Sec. 703. Six-year extension of Advisory Committee on Minority Veterans.

Sec. 704. Temporary authority for performance of medical disabilities examinations by contract physicians.

Sec. 705. Forfeiture of benefits for subversive activities.

Sec. 706. Two-year extension of round-down requirement for compensation cost-of-living adjustments.

Sec. 707. Codification of requirement for expeditious treatment of cases on remand.

Sec. 708. Technical and clerical amendments.

1 **SEC. 2. REFERENCES TO TITLE 38, UNITED STATES CODE.**

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a
6 section or other provision of title 38, United States Code.

1 **TITLE I—SURVIVOR BENEFITS**

2 **SEC. 101. RETENTION OF CERTAIN VETERANS SURVIVOR** 3 **BENEFITS FOR SURVIVING SPOUSES REMAR-** 4 **RYING AFTER AGE 57.**

5 (a) EXCEPTION TO TERMINATION OF BENEFITS
6 UPON REMARRIAGE.—Section 103(d)(2)(B) is amended
7 by striking “The remarriage after age 55” and inserting
8 “The remarriage after age 57 of the surviving spouse of
9 a veteran shall not bar the furnishing of benefits specified
10 in paragraph (5) to such person as the surviving spouse
11 of the veteran. Notwithstanding the previous sentence, the
12 remarriage after age 55”.

13 (b) COORDINATION OF BENEFITS.—Section 1311 is
14 amended by adding at the end the following new sub-
15 section:

16 “(e) In the case of an individual who is eligible for
17 dependency and indemnity compensation under this sec-
18 tion by reason of section 103(d)(2)(B) of this title who
19 is also eligible for benefits under another provision of law
20 by reason of such individual’s status as the surviving
21 spouse of a veteran, then, notwithstanding any other pro-
22 vision of law (other than section 5304(b)(3) of this title),
23 no reduction in benefits under such other provision of law
24 shall be made by reason of such individual’s eligibility for
25 benefits under this section.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 subsections (a) and (b) shall take effect on January 1,
3 2004.

4 (d) RETROACTIVE BENEFITS PROHIBITED.—No ben-
5 efit may be paid to any person by reason of the amend-
6 ments made by subsections (a) and (b) for any period be-
7 fore the effective date specified in subsection (c).

8 (e) APPLICATION FOR BENEFITS.—In the case of an
9 individual who but for having remarried would be eligible
10 for benefits under title 38, United States Code, by reason
11 of the amendment made by subsection (a) and whose re-
12 marriage was before the date of the enactment of this Act
13 and after the individual had attained age 57, the indi-
14 vidual shall be eligible for such benefits by reason of such
15 amendment only if the individual submits an application
16 for such benefits to the Secretary of Veterans Affairs not
17 later than the end of the one-year period beginning on the
18 date of the enactment of this Act.

19 (f) TECHNICAL CORRECTION.—Section 101(b) of the
20 Veterans Benefits Act of 2002 (Public Law 107–330; 116
21 Stat. 2821; 38 U.S.C. 103 note) is amended by striking
22 “during the 1–year period” and all that follows through
23 “(c)” and inserting “before the end of the one-year period
24 beginning on the date of the enactment of the Veterans
25 Benefits Act of 2003”.

1 **SEC. 102. BENEFITS FOR CHILDREN WITH SPINA BIFIDA OF**
 2 **VETERANS OF CERTAIN SERVICE IN KOREA.**

3 (a) IN GENERAL.—Chapter 18 is amended—

4 (1) by redesignating subchapter III, and sec-
 5 tions 1821, 1822, 1823, and 1824, as subchapter
 6 IV, and sections 1831, 1832, 1833, and 1834, re-
 7 spectively; and

8 (2) by inserting after subchapter II the fol-
 9 lowing new subchapter III:

10 “SUBCHAPTER III—CHILDREN OF CERTAIN
 11 KOREA SERVICE VETERANS BORN WITH
 12 SPINA BIFIDA

13 “§ 1821. **Benefits for children of certain Korea service**
 14 **veterans born with spina bifida**

15 “(a) BENEFITS AUTHORIZED.—The Secretary may
 16 provide to any child of a veteran of covered service in
 17 Korea who is suffering from spina bifida the health care,
 18 vocational training and rehabilitation, and monetary al-
 19 lowance required to be paid to a child of a Vietnam vet-
 20 eran who is suffering from spina bifida under subchapter
 21 I of this chapter as if such child of a veteran of covered
 22 service in Korea were a child of a Vietnam veteran who
 23 is suffering from spina bifida under such subchapter.

24 “(b) SPINA BIFIDA CONDITIONS COVERED.—This
 25 section applies with respect to all forms and manifesta-
 26 tions of spina bifida, except spina bifida occulta.

1 “(c) VETERAN OF COVERED SERVICE IN KOREA.—

2 For purposes of this section, a veteran of covered service
3 in Korea is any individual, without regard to the charac-
4 terization of that individual’s service, who—

5 “(1) served in the active military, naval, or air
6 service in or near the Korean demilitarized zone
7 (DMZ), as determined by the Secretary in consulta-
8 tion with the Secretary of Defense, during the period
9 beginning on September 1, 1967, and ending on Au-
10 gust 31, 1971; and

11 “(2) is determined by the Secretary, in con-
12 sultation with the Secretary of Defense, to have been
13 exposed to a herbicide agent during such service in
14 or near the Korean demilitarized zone.

15 “(d) HERBICIDE AGENT.—For purposes of this sec-
16 tion, the term ‘herbicide agent’ means a chemical in a her-
17 bicide used in support of United States and allied military
18 operations in or near the Korean demilitarized zone, as
19 determined by the Secretary in consultation with the Sec-
20 retary of Defense, during the period beginning on Sep-
21 tember 1, 1967, and ending on August 31, 1971.’”.

22 (b) CHILD DEFINED.—Section 1831, as redesignated
23 by subsection (a) of this section, is amended by striking
24 paragraph (1) and inserting the following new paragraph
25 (1):

1 “(1) The term ‘child’ means the following:

2 “(A) For purposes of subchapters I and II
3 of this chapter, an individual, regardless of age
4 or marital status, who—

5 “(i) is the natural child of a Vietnam
6 veteran; and

7 “(ii) was conceived after the date on
8 which that veteran first entered the Repub-
9 lic of Vietnam during the Vietnam era.

10 “(B) For purposes of subchapter III of
11 this chapter, an individual, regardless of age or
12 marital status, who—

13 “(i) is the natural child of a veteran
14 of covered service in Korea (as determined
15 for purposes of section 1821 of this title);
16 and

17 “(ii) was conceived after the date on
18 which that veteran first entered service de-
19 scribed in subsection (c) of that section.”.

20 (c) NONDUPLICATION OF BENEFITS.—Subsection (a)
21 of section 1834, as redesignated by subsection (a) of this
22 section, is amended by adding at the end the following
23 new sentence: “In the case of a child eligible for benefits
24 under subchapter I or II of this chapter who is also eligible
25 for benefits under subchapter III of this chapter, a mone-

1 tary allowance shall be paid under the subchapter of this
2 chapter elected by the child.”.

3 (d) CONFORMING AMENDMENTS.—(1) Section
4 1811(1)(A) is amended by striking “section 1821(1)” and
5 inserting “section 1831(1)”.

6 (2) The heading for chapter 18 is amended to read
7 as follows:

8 **“CHAPTER 18—BENEFITS FOR CHILDREN**
9 **OF VIETNAM VETERANS AND CERTAIN**
10 **OTHER VETERANS”.**

11 (e) CLERICAL AMENDMENTS.—(1) The table of sec-
12 tions at the beginning of chapter 18 is amended by strik-
13 ing the items relating to subchapter III and sections 1821,
14 1822, 1823, and 1824 and inserting the following new
15 items:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA SERVICE
VETERANS BORN WITH SPINA BIFIDA

“1821. Benefits for children of certain Korea service veterans born with spina
bifida.

“SUBCHAPTER IV—GENERAL PROVISIONS

“1831. Definitions.

“1832. Applicability of certain administrative provisions.

“1833. Treatment of receipt of monetary allowance and other benefits.

“1834. Nonduplication of benefits.”.

16 (2) The table of chapters at the beginning of title
17 38, United States Code, and at the beginning of part II,
18 are each amended by striking the item relating to chapter
19 18 and inserting the following new item:

**“18. Benefits for Children of Vietnam Veterans and Cer-
tain Other Veterans 1802”.**

1 **SEC. 103. ALTERNATIVE BENEFICIARIES FOR NATIONAL**
2 **SERVICE LIFE INSURANCE AND UNITED**
3 **STATES GOVERNMENT LIFE INSURANCE.**

4 (a) NATIONAL SERVICE LIFE INSURANCE.—Section
5 1917 is amended by adding at the end the following new
6 subsection:

7 “(f)(1) Following the death of the insured and in a
8 case not covered by subsection (d)—

9 “(A) if the first beneficiary otherwise entitled to
10 payment of the insurance does not make a claim for
11 such payment within two years after the death of
12 the insured, payment may be made to another bene-
13 ficiary designated by the insured, in the order of
14 precedence as designated by the insured, as if the
15 first beneficiary had predeceased the insured; and

16 “(B) if, within four years after the death of the
17 insured, no claim has been filed by a person des-
18 ignated by the insured as a beneficiary and the Sec-
19 retary has not received any notice in writing that
20 any such claim will be made, payment may (notwith-
21 standing any other provision of law) be made to
22 such person as may in the judgment of the Secretary
23 be equitably entitled thereto.

24 “(2) Payment of insurance under paragraph (1) shall
25 be a bar to recovery by any other person.”.

1 (b) UNITED STATES GOVERNMENT LIFE INSUR-
2 ANCE.—Section 1952 is amended by adding at the end
3 the following new subsection:

4 “(c)(1) Following the death of the insured and in a
5 case not covered by section 1950 of this title—

6 “(A) if the first beneficiary otherwise entitled to
7 payment of the insurance does not make a claim for
8 such payment within two years after the death of
9 the insured, payment may be made to another bene-
10 ficiary designated by the insured, in the order of
11 precedence as designated by the insured, as if the
12 first beneficiary had predeceased the insured; and

13 “(B) if, within four years after the death of the
14 insured, no claim has been filed by a person des-
15 ignated by the insured as a beneficiary and the Sec-
16 retary has not received any notice in writing that
17 any such claim will be made, payment may (notwith-
18 standing any other provision of law) be made to
19 such person as may in the judgment of the Secretary
20 be equitably entitled thereto.

21 “(2) Payment of insurance under paragraph (1) shall
22 be a bar to recovery by any other person.”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 subsections (a) and (b) shall take effect on October 1,
25 2004.

1 (d) TRANSITION PROVISION.—In the case of a person
 2 insured under subchapter I or II of chapter 19 of title
 3 38, United States Code, who dies before the effective date
 4 of the amendments made by subsections (a) and (b), as
 5 specified by subsection (c), the two-year and four-year pe-
 6 riods specified in subsection (f)(1) of section 1917 of title
 7 38, United States Code, as added by subsection (a), and
 8 subsection (c)(1) of section 1952 of such title, as added
 9 by subsection (b), as applicable, shall for purposes of the
 10 applicable subsection be treated as being the two-year and
 11 four-year periods, respectively, beginning on the effective
 12 date of such amendments, as so specified.

13 **SEC. 104. PAYMENT OF BENEFITS ACCRUED AND UNPAID**

14 **AT TIME OF DEATH.**

15 (a) REPEAL OF TWO-YEAR LIMITATION ON PAY-
 16 MENT.—Section 5121(a) is amended by striking “for a pe-
 17 riod not to exceed two years” in the matter preceding
 18 paragraph (1).

19 (b) PAYMENT RECIPIENTS FOR BENEFICIARIES
 20 UNDER CHAPTER 18.—Such section is further amended—

21 (1) by striking “and” at the end of paragraph

22 (4);

23 (2) by redesignating paragraph (5) as para-
 24 graph (6); and

1 (3) by inserting after paragraph (4) the fol-
2 lowing new paragraph (5):

3 “(5) Upon the death of a child claiming bene-
4 fits under chapter 18 of this title, to the surviving
5 parents.”.

6 (c) TECHNICAL AMENDMENTS.—Such section is fur-
7 ther amended—

8 (1) in the matter preceding paragraph (1), by
9 striking the comma after “or decisions”;

10 (2) by striking the semicolon at the end of
11 paragraphs (1), (2), (3), and (4), and at the end of
12 subparagraphs (A) and (B) of paragraph (2), and
13 inserting a period.

14 (d) EFFECTIVE DATE.—The amendments made by
15 subsections (a) and (b) shall apply with respect to deaths
16 occurring on or after the date of the enactment of this
17 Act.

1 **TITLE II—BENEFITS FOR**
2 **FORMER PRISONERS OF WAR**
3 **AND FOR FILIPINO VETERANS**
4 **Subtitle A—Former Prisoners of**
5 **War**

6 **SEC. 201. PRESUMPTIONS OF SERVICE-CONNECTION RE-**
7 **LATING TO DISEASES AND DISABILITIES OF**
8 **FORMER PRISONERS OF WAR.**

9 Subsection (b) of section 1112 is amended to read
10 as follows:

11 “(b)(1) For the purposes of section 1110 of this title
12 and subject to the provisions of section 1113 of this title,
13 in the case of a veteran who is a former prisoner of war—

14 “(A) a disease specified in paragraph (2) which
15 became manifest to a degree of 10 percent or more
16 after active military, naval, or air service shall be
17 considered to have been incurred in or aggravated by
18 such service, notwithstanding that there is no record
19 of such disease during the period of service; and

20 “(B) if the veteran was detained or interned as
21 a prisoner of war for not less than thirty days, a dis-
22 ease specified in paragraph (3) which became mani-
23 fest to a degree of 10 percent or more after active
24 military, naval, or air service shall be considered to
25 have been incurred in or aggravated by such service,

1 notwithstanding that there is no record of such dis-
2 ease during the period of service.

3 “(2) The diseases specified in this paragraph are the
4 following:

5 “(A) Psychosis.

6 “(B) Any of the anxiety states.

7 “(C) Dysthymic disorder (or depressive neu-
8 rosis).

9 “(D) Organic residuals of frostbite, if the Sec-
10 retary determines that the veteran was detained or
11 interned in climatic conditions consistent with the
12 occurrence of frostbite.

13 “(E) Post-traumatic osteoarthritis.

14 “(3) The diseases specified in this paragraph are the
15 following:

16 “(A) Avitaminosis.

17 “(B) Beriberi (including beriberi heart disease).

18 “(C) Chronic dysentery.

19 “(D) Helminthiasis.

20 “(E) Malnutrition (including optic atrophy as-
21 sociated with malnutrition).

22 “(F) Pellagra.

23 “(G) Any other nutritional deficiency.

24 “(H) Cirrhosis of the liver.

1 “(I) Peripheral neuropathy except where di-
 2 rectly related to infectious causes.

3 “(J) Irritable bowel syndrome.

4 “(K) Peptic ulcer disease.”.

5 **Subtitle B—Filipino Veterans**

6 **SEC. 211. RATE OF PAYMENT OF BENEFITS FOR CERTAIN**

7 **FILIPINO VETERANS AND THEIR SURVIVORS**

8 **RESIDING IN THE UNITED STATES.**

9 (a) RATE OF PAYMENT.—Section 107 is amended—

10 (1) in the second sentence of subsection (b), by
 11 striking “Payments” and inserting “Except as pro-
 12 vided in subsection (c), payments”; and

13 (2) in subsection (c)—

14 (A) by inserting “and subchapter II of
 15 chapter 13 (except section 1312(a)) of this
 16 title” after “chapter 11 of this title”;

17 (B) by striking “in subsection (a)” and in-
 18 serting “in subsection (a) or (b)”; and

19 (C) by striking “of subsection (a)” and in-
 20 serting “of the applicable subsection”.

21 (b) EFFECTIVE DATE.—The amendments made by
 22 subsection (a) shall apply to benefits paid for months be-
 23 ginning after the date of the enactment of this Act.

1 **SEC. 212. BURIAL BENEFITS FOR NEW PHILIPPINE SCOUTS**

2 **RESIDING IN THE UNITED STATES.**

3 (a) **BENEFIT ELIGIBILITY.**—Section 107, as amend-
4 ed by section 211 of this Act, is amended—

5 (1) in subsection (b)(2)—

6 (A) by striking “and” and inserting a
7 comma; and

8 (B) by inserting “, 23, and 24 (to the ex-
9 tent provided for in section 2402(8))” after
10 “(except section 1312(a))”;

11 (2) in the second sentence of subsection (b), as
12 so amended, by inserting “or (d)” after “subsection
13 (c)”;

14 (3) in subsection (d)(1), by inserting “or (b), as
15 otherwise applicable,” after “subsection (a)”;

16 (4) in subsection (d)(2), by inserting “or whose
17 service is described in subsection (b) and who dies
18 after the date of the enactment of the Veterans Ben-
19 efits Act of 2003,” after “November 1, 2000,”.

20 (b) **NATIONAL CEMETERY INTERMENT.**—Section
21 2402(8) is amended by striking “section 107(a)” and in-
22 serting “subsection (a) or (b) of section 107”.

23 (c) **EFFECTIVE DATE.**—The amendments made by
24 this section shall apply with respect to deaths occurring
25 on or after the date of the enactment of this Act.

1 **SEC. 213. EXTENSION OF AUTHORITY TO MAINTAIN RE-**
2 **GIONAL OFFICE IN THE REPUBLIC OF THE**
3 **PHILIPPINES.**

4 Section 315(b) is amended by striking “December 31,
5 2003” and inserting “December 31, 2009”.

6 **TITLE III—EDUCATION BENE-**
7 **FITS, EMPLOYMENT PROVI-**
8 **SIONS, AND RELATED MAT-**
9 **TERS**

10 **SEC. 301. EXPANSION OF MONTGOMERY GI BILL EDU-**
11 **CATION BENEFITS FOR CERTAIN SELF-EM-**
12 **PLOYMENT TRAINING.**

13 (a) DEFINITION OF TRAINING ESTABLISHMENT.—
14 Section 3452(e) is amended by striking “means any” and
15 all that follows and inserting “means any of the following:

16 “(1) An establishment providing apprentice or
17 other on-job training, including those under the su-
18 pervision of a college or university or any State de-
19 partment of education.

20 “(2) An establishment providing self-employ-
21 ment on-job training consisting of full-time training
22 for a period of less than six months that is needed
23 or accepted for purposes of obtaining licensure to
24 engage in a self-employment occupation or required
25 for ownership and operation of a franchise that is
26 the objective of the training.

1 “(3) A State board of vocational education.

2 “(4) A Federal or State apprenticeship registra-
3 tion agency.

4 “(5) A joint apprenticeship committee estab-
5 lished pursuant to the Act of August 16, 1937, pop-
6 ularly known as the ‘National Apprenticeship Act’
7 (29 U.S.C. 50 et seq.).

8 “(6) An agency of the Federal Government au-
9 thorized to supervise such training.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect on the date that is six
12 months after the date of the enactment of this Act and
13 shall apply to self-employment on-job training approved
14 and pursued on or after that date.

15 **SEC. 302. INCREASE IN RATES OF SURVIVORS’ AND DE-**
16 **PENDENTS’ EDUCATIONAL ASSISTANCE.**

17 (a) SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL
18 ASSISTANCE.—Section 3532 is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1), by striking “at the
21 monthly rate of” and all that follows and in-
22 serting “at the monthly rate of \$788 for full-
23 time, \$592 for three-quarter-time, or \$394 for
24 half-time pursuit.”; and

1 (B) in paragraph (2), by striking “at the
 2 rate of” and all that follows and inserting “at
 3 the rate of the lesser of—

4 “(A) the established charges for tuition and
 5 fees that the educational institution involved re-
 6 quires similarly circumstanced nonveterans enrolled
 7 in the same program to pay; or

8 “(B) \$788 per month for a full-time course.”;

9 (2) in subsection (b), by striking “\$670” and
 10 inserting “\$788”; and

11 (3) in subsection (c)(2), by striking “shall be”
 12 and all that follows and inserting “shall be \$636 for
 13 full-time, \$477 for three-quarter-time, or \$319 for
 14 half-time pursuit.”.

15 (b) CORRESPONDENCE COURSES.—Section 3534(b)
 16 is amended by striking “\$670” and inserting “\$788”.

17 (c) SPECIAL RESTORATIVE TRAINING.—Section
 18 3542(a) is amended—

19 (1) by striking “\$670” and inserting “\$788”;
 20 and

21 (2) by striking “\$210” each place it appears
 22 and inserting “\$247”.

23 (d) APPRENTICESHIP TRAINING.—Section
 24 3687(b)(2) is amended by striking “shall be \$488 for the
 25 first six months” and all that follows and inserting “shall

1 be \$574 for the first six months, \$429 for the second six
 2 months, \$285 for the third six months, and \$144 for the
 3 fourth and any succeeding six-month period of training.”.

4 (e) EFFECTIVE DATE.—The amendments made by
 5 this section shall take effect on July 1, 2004, and shall
 6 apply with respect to educational assistance allowances
 7 payable under chapter 35 and section 3687(b)(2) of title
 8 38, United States Code, for months beginning on or after
 9 that date.

10 **SEC. 303. RESTORATION OF SURVIVORS’ AND DEPENDENTS’**
 11 **EDUCATION BENEFITS OF INDIVIDUALS**
 12 **BEING ORDERED TO FULL-TIME NATIONAL**
 13 **GUARD DUTY.**

14 (a) DELIMITING DATE.—Section 3512(h) is amended
 15 by inserting “or is involuntarily ordered to full-time Na-
 16 tional Guard duty under section 502(f) of title 32,” after
 17 “title 10,”.

18 (b) EFFECTIVE DATE.—The amendment made by
 19 subsection (a) shall take effect as of September 11, 2001.

20 **SEC. 304. ROUNDING DOWN OF CERTAIN COST-OF-LIVING**
 21 **ADJUSTMENTS ON EDUCATIONAL ASSIST-**
 22 **ANCE.**

23 (a) BASIC EDUCATIONAL ASSISTANCE UNDER MONT-
 24 GOMERY GI BILL.—Section 3015(h) is amended—

1 (1) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively;

3 (2) by inserting “(1)” after “(h)”;

4 (3) by striking “(rounded to the nearest dol-
5 lar)”;

6 (4) in subparagraph (B), as so redesignated, by
7 striking “paragraph (1)” and inserting “subpara-
8 graph (A)”;

9 (5) by adding at the end the following new
10 paragraph:

11 “(2) Any increase under paragraph (1) in a rate with
12 respect to a fiscal year after fiscal year 2004 and before
13 fiscal year 2014 shall be rounded down to the next lower
14 whole dollar amount. Any such increase with respect to
15 a fiscal year after fiscal year 2013 shall be rounded to
16 the nearest whole dollar amount.”.

17 (b) SURVIVORS’ AND DEPENDENTS’ EDUCATIONAL
18 ASSISTANCE.—Section 3564 is amended—

19 (1) by inserting “(a)” before “With”;

20 (2) by striking “(rounded to the nearest dol-
21 lar)”;

22 (3) by adding at the end the following new sub-
23 section:

24 “(b) Any increase under subsection (a) in a rate with
25 respect to a fiscal year after fiscal year 2004 and before

1 fiscal year 2014 shall be rounded down to the next lower
 2 whole dollar amount. Any such increase with respect to
 3 a fiscal year after fiscal year 2013 shall be rounded to
 4 the nearest whole dollar amount.”.

5 **SEC. 305. AUTHORIZATION FOR STATE APPROVING AGEN-**
 6 **CIES TO APPROVE CERTAIN ENTREPRENEUR-**
 7 **SHIP COURSES.**

8 (a) APPROVAL OF ENTREPRENEURSHIP COURSES.—
 9 Section 3675 is amended by adding at the end the fol-
 10 lowing new subsection:

11 “(c)(1) A State approving agency may approve the
 12 entrepreneurship courses offered by a qualified provider
 13 of entrepreneurship courses.

14 “(2) For purposes of this subsection, the term ‘entre-
 15 preneurship course’ means a non-degree, non-credit course
 16 of business education that enables or assists a person to
 17 start or enhance a small business concern (as defined pur-
 18 suant to section 3(a) of the Small Business Act (15 U.S.C.
 19 632(a))).

20 “(3) Subsection (a) and paragraphs (1) and (2) of
 21 subsection (b) shall not apply to—

22 “(A) an entrepreneurship course offered by a
 23 qualified provider of entrepreneurship courses; and

1 “(B) a qualified provider of entrepreneurship
2 courses by reason of such provider offering one or
3 more entrepreneurship courses.”.

4 (b) BUSINESS OWNERS NOT TREATED AS ALREADY
5 QUALIFIED.—Section 3471 is amended by inserting before
6 the last sentence the following: “The Secretary shall not
7 treat a person as already qualified for the objective of a
8 program of education offered by a qualified provider of
9 entrepreneurship courses solely because such person is the
10 owner or operator of a business.”.

11 (c) INCLUSION OF ENTREPRENEURSHIP COURSES IN
12 DEFINITION OF PROGRAM OF EDUCATION.—Subsection
13 (b) of section 3452 is amended by adding at the end the
14 following: “Such term also includes any course, or com-
15 bination of courses, offered by a qualified provider of en-
16 trepreneurship courses.”.

17 (d) INCLUSION OF QUALIFIED PROVIDER OF ENTRE-
18 PRENEURSHIP COURSES IN DEFINITION OF EDU-
19 CATIONAL INSTITUTION.—Subsection (c) of section 3452
20 is amended by adding at the end the following: “Such term
21 also includes any qualified provider of entrepreneurship
22 courses.”.

23 (e) DEFINITION OF QUALIFIED PROVIDER OF EN-
24 TREPRENEURSHIP COURSES.—Section 3452 is further

1 amended by adding at the end the following new sub-
 2 section:

3 “(h) The term ‘qualified provider of entrepreneurship
 4 courses’ means any of the following entities insofar as
 5 such entity offers, sponsors, or cosponsors an entrepre-
 6 neurship course (as defined in section 3675(c)(2) of this
 7 title):

8 “(1) Any small business development center de-
 9 scribed in section 21 of the Small Business Act (15
 10 U.S.C. 648).

11 “(2) The National Veterans Business Develop-
 12 ment Corporation (established under section 33 of
 13 the Small Business Act (15 U.S.C. 657c)).”.

14 (f) EFFECTIVE DATE.—The amendments made by
 15 this section shall apply to courses approved by State ap-
 16 proving agencies after the date of the enactment of this
 17 Act.

18 **SEC. 306. REPEAL OF PROVISIONS RELATING TO OBSOLETE**
 19 **EDUCATION LOAN PROGRAM.**

20 (a) TERMINATION OF PROGRAM.—The Secretary of
 21 Veterans Affairs may not make a loan under subchapter
 22 III of chapter 36 of title 38, United States Code, after
 23 the date of the enactment of this Act.

24 (b) DISCHARGE OF LIABILITIES.—Effective as of the
 25 date of the transfer of funds under subsection (c)—

1 (1) any liability on an education loan under
2 subchapter III of chapter 36 of title 38, United
3 States Code, that is outstanding as of such date
4 shall be deemed discharged; and

5 (2) the right of the United States to recover an
6 overpayment declared under section 3698(e)(1) of
7 such title that is outstanding as of such date shall
8 be deemed waived.

9 (c) TERMINATION OF LOAN FUND.—(1) Effective as
10 of the day before the date of the repeal under this section
11 of subchapter III of chapter 36 of title 38, United States
12 Code, all monies in the revolving fund of the Treasury
13 known as the “Department of Veterans Affairs Education
14 Loan Fund” shall be transferred to the Department of
15 Veterans Affairs Readjustment Benefits Account, and the
16 revolving fund shall be closed.

17 (2) Any monies transferred to the Department of
18 Veterans Affairs Readjustment Benefits Account under
19 paragraph (1) shall be merged with amounts in that ac-
20 count and shall be available for the same purposes, and
21 subject to the same conditions and limitations, as amounts
22 in that account.

23 (d) USE OF ENTITLEMENT TO VETERANS EDU-
24 CATIONAL ASSISTANCE FOR EDUCATION LOAN PRO-

1 GRAM.—Section 3462(a) is amended by striking para-
2 graph (2).

3 (e) REPEAL OF EDUCATION LOAN PROGRAM.—Sub-
4 chapter III of chapter 36 is repealed.

5 (f) CONFORMING AMENDMENTS.—(1) Section
6 3485(e)(1) is amended by striking “(other than an edu-
7 cation loan under subchapter III)”.

8 (2) Section 3512 is amended by striking subsection
9 (f).

10 (g) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of chapter 36 is amended by striking the
12 items relating to subchapter III and sections 3698 and
13 3699.

14 (h) EFFECTIVE DATES.—(1) The amendments made
15 by subsection (d) shall take effect on the date of the enact-
16 ment of this Act.

17 (2) The amendments made by subsections (e), (f),
18 and (g) shall take effect 90 days after the date of the en-
19 actment of this Act.

20 **SEC. 307. SIX-YEAR EXTENSION OF THE VETERANS’ ADVI-**
21 **SORY COMMITTEE ON EDUCATION.**

22 (a) MEMBERSHIP.—Subsection (a) of section 3692 is
23 amended in the second sentence by inserting “, to the
24 maximum extent practicable,” after “The committee shall
25 also”.

1 (b) EXTENSION.—Subsection (c) of that section is
 2 amended by striking “December 31, 2003” and inserting
 3 “December 31, 2009”.

4 (c) TECHNICAL AMENDMENTS.—That section is fur-
 5 ther amended—

6 (1) in subsections (a) and (b), by striking
 7 “chapter 106” each place it appears and inserting
 8 “chapter 1606”; and

9 (2) in subsection (b), by striking “chapter 30”
 10 and inserting “chapters 30”.

11 **SEC. 308. PROCUREMENT PROGRAM FOR SMALL BUSINESS**
 12 **CONCERNS OWNED AND CONTROLLED BY**
 13 **SERVICE-DISABLED VETERANS.**

14 The Small Business Act (15 U.S.C. 631 et seq.) is
 15 amended by redesignating section 36 as section 37 and
 16 by inserting after section 35 the following new section:

17 **“SEC. 36. PROCUREMENT PROGRAM FOR SMALL BUSINESS**
 18 **CONCERNS OWNED AND CONTROLLED BY**
 19 **SERVICE-DISABLED VETERANS.**

20 “(a) SOLE SOURCE CONTRACTS.—In accordance with
 21 this section, a contracting officer may award a sole source
 22 contract to any small business concern owned and con-
 23 trolled by service-disabled veterans if—

24 “(1) such concern is determined to be a respon-
 25 sible contractor with respect to performance of such

1 contract opportunity and the contracting officer does
2 not have a reasonable expectation that 2 or more
3 small business concerns owned and controlled by
4 service-disabled veterans will submit offers for the
5 contracting opportunity;

6 “(2) the anticipated award price of the contract
7 (including options) will not exceed—

8 “(A) \$5,000,000, in the case of a contract
9 opportunity assigned a standard industrial clas-
10 sification code for manufacturing; or

11 “(B) \$3,000,000, in the case of any other
12 contract opportunity; and

13 “(3) in the estimation of the contracting officer,
14 the contract award can be made at a fair and rea-
15 sonable price.

16 “(b) RESTRICTED COMPETITION.—In accordance
17 with this section, a contracting officer may award con-
18 tracts on the basis of competition restricted to small busi-
19 ness concerns owned and controlled by service-disabled
20 veterans if the contracting officer has a reasonable expec-
21 tation that not less than 2 small business concerns owned
22 and controlled by service-disabled veterans will submit of-
23 fers and that the award can be made at a fair market
24 price.

1 “(c) RELATIONSHIP TO OTHER CONTRACTING PREF-
 2 ERENCES.—A procurement may not be made from a
 3 source on the basis of a preference provided under sub-
 4 section (a) or (b) if the procurement would otherwise be
 5 made from a different source under section 4124 or 4125
 6 of title 18, United States Code, or the Javits-Wagner-
 7 O’Day Act (41 U.S.C. 46 et seq.).

8 “(d) ENFORCEMENT; PENALTIES.—Rules similar to
 9 the rules of paragraphs (5) and (6) of section 8(m) shall
 10 apply for purposes of this section.

11 “(e) CONTRACTING OFFICER.—For purposes of this
 12 section, the term ‘contracting officer’ has the meaning
 13 given such term in section 27(f)(5) of the Office of Federal
 14 Procurement Policy Act (41 U.S.C. 423(f)(5)).”.

15 **SEC. 309. OUTSTATIONING OF TRANSITION ASSISTANCE**
 16 **PROGRAM PERSONNEL.**

17 (a) IN GENERAL.—(1) Chapter 41 is amended by
 18 adding at the end the following new section:

19 **“§ 4113. Outstationing of Transition Assistance Pro-**
 20 **gram personnel**

21 “(a) STATIONING OF TAP PERSONNEL AT OVERSEAS
 22 MILITARY INSTALLATIONS.—(1) The Secretary—

23 “(A) shall station employees of the Veterans’
 24 Employment and Training Service, or contractors

1 under subsection (c), at each veterans assistance of-
2 fice described in paragraph (2); and

3 “(B) may station such employees or contractors
4 at such other military installations outside the
5 United States as the Secretary, after consultation
6 with the Secretary of Defense, determines to be ap-
7 propriate or desirable to carry out the purposes of
8 this chapter.

9 “(2) Veterans assistance offices referred to in para-
10 graph (1)(A) are those offices that are established by the
11 Secretary of Veterans Affairs on military installations pur-
12 suant to the second sentence of section 7723(a) of this
13 title.

14 “(b) FUNCTIONS.—Employees (or contractors) sta-
15 tioned at military installations pursuant to subsection (a)
16 shall provide, in person, counseling, assistance in identi-
17 fying employment and training opportunities, help in ob-
18 taining such employment and training, and other related
19 information and services to members of the Armed Forces
20 who are being separated from active duty, and the spouses
21 of such members, under the Transition Assistance Pro-
22 gram and Disabled Transition Assistance Program estab-
23 lished in section 1144 of title 10.

24 “(c) AUTHORITY TO CONTRACT WITH PRIVATE EN-
25 TITIES.—The Secretary, consistent with section 1144 of

1 title 10, may enter into contracts with public or private
2 entities to provide, in person, some or all of the counseling,
3 assistance, information and services under the Transition
4 Assistance Program required under subsection (a).”.

5 (2) The table of sections at the beginning of such
6 chapter is amended by adding at the end the following
7 new item:

“4113. Outstationing of Transition Assistance Program personnel.”.

8 (b) DEADLINE FOR IMPLEMENTATION.—Not later
9 than 90 days after the date of the enactment of this Act,
10 the Secretary of Labor shall implement section 4113 of
11 title 38, United States Code, as added by subsection (a),
12 and shall have employees of the Veterans’ Employment
13 and Training Service, or contractors, to carry out that sec-
14 tion at the military installations involved by such date.

15 (c) ADDITIONAL AMENDMENT.—(1) The second sen-
16 tence of section 7723(a) is amended by inserting “and tak-
17 ing into account recommendations, if any, of the Secretary
18 of Labor” after “Secretary of Defense”

19 (2) The amendment made by paragraph (1) shall
20 apply with respect to offices established after the date of
21 the enactment of this Act.

1 **TITLE IV—HOUSING BENEFITS**
2 **AND RELATED MATTERS**

3 **SEC. 401. AUTHORIZATION TO PROVIDE ADAPTED HOUSING**
4 **ASSISTANCE TO CERTAIN DISABLED MEM-**
5 **BERS OF THE ARMED FORCES WHO REMAIN**
6 **ON ACTIVE DUTY.**

7 Section 2101 is amended by adding at the end the
8 following new subsection:

9 “(c)(1) The Secretary may provide assistance under
10 subsection (a) to a member of the Armed Forces serving
11 on active duty who is suffering from a disability described
12 in paragraph (1), (2), or (3) of that subsection if such
13 disability is the result of an injury incurred or disease con-
14 tracted in or aggravated in line of duty in the active mili-
15 tary, naval, or air service. Such assistance shall be pro-
16 vided to the same extent as assistance is provided under
17 that subsection to veterans eligible for assistance under
18 that subsection and subject to the requirements of the sec-
19 ond sentence of that subsection.

20 “(2) The Secretary may provide assistance under
21 subsection (b) to a member of the Armed Forces serving
22 on active duty who is suffering from a disability described
23 in subparagraph (A) or (B) of paragraph (1) of that sub-
24 section if such disability is the result of an injury incurred
25 or disease contracted in or aggravated in line of duty in

1 the active military, naval, or air service. Such assistance
 2 shall be provided to the same extent as assistance is pro-
 3 vided under that subsection to veterans eligible for assist-
 4 ance under that subsection and subject to the require-
 5 ments of paragraph (2) of that subsection.”.

6 **SEC. 402. INCREASE IN AMOUNTS FOR CERTAIN ADAPTIVE**
 7 **BENEFITS FOR DISABLED VETERANS.**

8 (a) INCREASE IN ASSISTANCE AMOUNT FOR SPE-
 9 Cially ADAPTED HOUSING.—Section 2102 is amended—

10 (1) in the matter preceding paragraph (1) of
 11 subsection (a), by striking “\$48,000” and inserting
 12 “\$50,000”; and

13 (2) in subsection (b)(2), by striking “\$9,250”
 14 and inserting “\$10,000”.

15 (b) INCREASE IN AMOUNT OF ASSISTANCE FOR
 16 AUTOMOBILE AND ADAPTIVE EQUIPMENT FOR CERTAIN
 17 DISABLED VETERANS.—Section 3902(a) is amended by
 18 striking “\$9,000” and inserting “\$11,000”.

19 (c) EFFECTIVE DATE.—The amendments made by
 20 subsections (a) and (b) shall apply with respect to assist-
 21 ance furnished on or after the date of the enactment of
 22 this Act.

1 **SEC. 403. PERMANENT AUTHORITY FOR HOUSING LOANS**
 2 **FOR MEMBERS OF THE SELECTED RESERVE.**

3 Section 3702(a)(2)(E) is amended by striking “For
 4 the period” and all that follows through “each” and in-
 5 serting “Each”.

6 **SEC. 404. REINSTATEMENT OF MINIMUM REQUIREMENTS**
 7 **FOR SALE OF VENDEE LOANS.**

8 (a) REINSTATEMENT.—Subsection (a) of section
 9 3733 is amended by adding at the end the following new
 10 paragraph:

11 “(7) During the period that begins on the date of
 12 the enactment of the Veterans’ Benefits Act of 2003 and
 13 ends on September 30, 2013, the Secretary shall carry out
 14 the provisions of this subsection as if—

15 “(A) the references in the first sentence of
 16 paragraph (1) to ‘65 percent’ and ‘may be financed’
 17 were references to ‘85 percent’ and ‘shall be fi-
 18 nanced’, respectively;

19 “(B) the second sentence of paragraph (1) were
 20 repealed; and

21 “(C) the reference in paragraph (2) to ‘Sep-
 22 tember 30, 1990,’ were a reference to ‘September
 23 30, 2013,’.”.

24 (b) STYLISTIC AMENDMENTS.—Such section is fur-
 25 ther amended—

26 (1) by striking “of this subsection” after—

- 1 (A) “paragraph (1)” in subsections
2 (a)(4)(A), (a)(5), (a)(6), and (c)(2); and
3 (B) “paragraph (5)” in subsection
4 (a)(4)(B)(i); and
5 (2) by striking “of this paragraph” each place
6 it appears in subsection (a)(4).

7 **SEC. 405. ADJUSTMENT TO HOME LOAN FEES.**

8 Effective January 1, 2004, paragraph (2) of section
9 3729(b) is amended to read as follows:

10 “(2) The loan fee table referred to in paragraph (1)
11 is as follows:

“LOAN FEE TABLE

| Type of loan | Active duty veteran | Reservist | Other obligor |
|---|------------------------|-----------|---------------|
| (A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed before January 1, 2004) | 2.00 | 2.75 | NA |
| (A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after January 1, 2004, and before October 1, 2004) | 2.20 | 2.40 | NA |
| (A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before October 1, 2011) | 2.15 | 2.40 | NA |
| (A)(iv) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2011) | 1.40 | 1.65 | NA |
| (B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed before January 1, 2004) | 3.00 | 3.00 | NA |
| (B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2004, and before October 1, 2011) | 3.30 | 3.30 | NA |
| (B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2011 and before October 1, 2013) | 2.15 | 2.15 | NA |
| (B)(iv) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2013) | 1.25 | 1.25 | NA |
| (C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before October 1, 2011) | 1.50 | 1.75 | NA |

“LOAN FEE TABLE—Continued

| Type of loan | Active duty veteran | Reservist | Other obligor |
|---|------------------------|-----------|---------------|
| (C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2011) | 0.75 | 1.00 | NA |
| (D)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before October 1, 2011) | 1.25 | 1.50 | NA |
| (D)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2011) | 0.50 | 0.75 | NA |
| (E) Interest rate reduction refinancing loan | 0.50 | 0.50 | NA |
| (F) Direct loan under section 3711 | 1.00 | 1.00 | NA |
| (G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan) | 1.00 | 1.00 | NA |
| (H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan) | 1.25 | 1.25 | NA |
| (I) Loan assumption under section 3714 | 0.50 | 0.50 | 0.50 |
| (J) Loan under section 3733(a) | 2.25 | 2.25 | 2.25”. |

1 **SEC. 406. ONE-YEAR EXTENSION OF PROCEDURES ON LIQ-**
2 **UIDATION SALES OF DEFAULTED HOME**
3 **LOANS GUARANTEED BY THE DEPARTMENT**
4 **OF VETERANS AFFAIRS.**

5 Section 3732(c)(11) is amended by striking “October
6 1, 2011” and inserting “October 1, 2012”.

7 **TITLE V—BURIAL BENEFITS**

8 **SEC. 501. BURIAL PLOT ALLOWANCE.**

9 (a) IN GENERAL.—Section 2303(b) is amended—
10 (1) in the matter preceding paragraph (1), by
11 striking “a burial allowance under such section
12 2302, or under such subsection, who was discharged
13 from the active military, naval, or air service for a
14 disability incurred or aggravated in line of duty, or
15 who is a veteran of any war” and inserting “burial

1 in a national cemetery under section 2402 of this
 2 title”; and

3 (2) in paragraph (2), by striking “(other than
 4 a veteran whose eligibility for benefits under this
 5 subsection is based on being a veteran of any war)”
 6 and inserting “is eligible for a burial allowance
 7 under section 2302 of this title or under subsection
 8 (a) of this section, or was discharged from the active
 9 military, naval, or air service for a disability in-
 10 curred or aggravated in line of duty, and such vet-
 11 eran”.

12 (b) CONFORMING AMENDMENT.—Section 2307 is
 13 amended in the last sentence by striking “and (b)” and
 14 inserting “and (b)(2)”.

15 **SEC. 502. ELIGIBILITY OF SURVIVING SPOUSES WHO RE-**
 16 **MARRY FOR BURIAL IN NATIONAL CEME-**
 17 **TERIES.**

18 (a) ELIGIBILITY.—Section 2402(5) is amended by
 19 striking “(which for purposes of this chapter includes an
 20 unremarried surviving spouse who had a subsequent re-
 21 marriage which was terminated by death or divorce)” and
 22 inserting “(which for purposes of this chapter includes a
 23 surviving spouse who had a subsequent remarriage)”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall apply with respect to deaths occurring
 3 on or after January 1, 2000.

4 **SEC. 503. PERMANENT AUTHORITY FOR STATE CEMETERY**
 5 **GRANTS PROGRAM.**

6 (a) PERMANENT AUTHORITY.—Subsection (a) of sec-
 7 tion 2408 is amended—

8 (1) by striking “(1)”; and

9 (2) by striking paragraph (2).

10 (b) CONFORMING AMENDMENT.—Subsection (e) of
 11 such section is amended by striking “Sums appropriated
 12 under subsection (a) of this section” and inserting
 13 “Amounts appropriated to carry out this section”.

14 (c) TECHNICAL AMENDMENT TO REPEAL OBSOLETE
 15 PROVISION.—Subsection (d)(1) of such section is amend-
 16 ed by striking “on or after November 21, 1997,”.

17 **TITLE VI—EXPOSURE TO**
 18 **HAZARDOUS SUBSTANCES**

19 **SEC. 601. RADIATION DOSE RECONSTRUCTION PROGRAM**
 20 **OF DEPARTMENT OF DEFENSE.**

21 (a) REVIEW OF MISSION, PROCEDURES, AND ADMIN-
 22 ISTRATION.—(1) The Secretary of Veterans Affairs and
 23 the Secretary of Defense shall jointly conduct a review of
 24 the mission, procedures, and administration of the Radi-

1 tion Dose Reconstruction Program of the Department of
2 Defense.

3 (2) In conducting the review under paragraph (1),
4 the Secretaries shall—

5 (A) determine whether any additional actions
6 are required to ensure that the quality assurance
7 and quality control mechanisms of the Radiation
8 Dose Reconstruction Program are adequate and suf-
9 ficient for purposes of the program; and

10 (B) determine the actions that are required to
11 ensure that the mechanisms of the Radiation Dose
12 Reconstruction Program for communication and
13 interaction with veterans are adequate and sufficient
14 for purposes of the program, including mechanisms
15 to permit veterans to review the assumptions utilized
16 in their dose reconstructions.

17 (3) Not later than 90 days after the date of the enact-
18 ment of this Act, the Secretaries shall jointly submit to
19 Congress a report on the review under paragraph (1). The
20 report shall set forth—

21 (A) the results of the review;

22 (B) a plan for any actions determined to be re-
23 quired under paragraph (2); and

24 (C) such other recommendations for the im-
25 provement of the mission, procedures, and adminis-

1 tration of the Radiation Dose Reconstruction Pro-
2 gram as the Secretaries jointly consider appropriate.

3 (b) ON-GOING REVIEW AND OVERSIGHT.—The Sec-
4 retaries shall jointly take appropriate actions to ensure the
5 on-going independent review and oversight of the Radi-
6 ation Dose Reconstruction Program, including the estab-
7 lishment of the advisory board required by subsection (c).

8 (c) ADVISORY BOARD.—(1) In taking actions under
9 subsection (b), the Secretaries shall jointly appoint an ad-
10 visory board to provide review and oversight of the Radi-
11 ation Dose Reconstruction Program.

12 (2) The advisory board under paragraph (1) shall be
13 composed of the following:

14 (A) At least one expert in historical dose recon-
15 struction of the type conducted under the Radiation
16 Dose Reconstruction Program.

17 (B) At least one expert in radiation health mat-
18 ters.

19 (C) At least one expert in risk communications
20 matters.

21 (D) A representative of the Department of Vet-
22 erans Affairs.

23 (E) A representative of the Defense Threat Re-
24 duction Agency.

1 (F) At least three veterans, including at least
2 one veteran who is a member of an atomic veterans
3 group.

4 (3) The advisory board under paragraph (1) shall—

5 (A) conduct periodic, random audits of dose re-
6 constructions under the Radiation Dose Reconstruc-
7 tion Program and of decisions by the Department of
8 Veterans Affairs on claims for service connection of
9 radiogenic diseases;

10 (B) assist the Department of Veterans Affairs
11 and the Defense Threat Reduction Agency in com-
12 municating to veterans information on the mission,
13 procedures, and evidentiary requirements of the Ra-
14 diation Dose Reconstruction Program; and

15 (C) carry out such other activities with respect
16 to the review and oversight of the Radiation Dose
17 Reconstruction Program as the Secretaries shall
18 jointly specify.

19 (4) The advisory board under paragraph (1) may
20 make such recommendations on modifications in the mis-
21 sion or procedures of the Radiation Dose Reconstruction
22 Program as the advisory board considers appropriate as
23 a result of the audits conducted under paragraph (3)(A).

1 **SEC. 602. STUDY ON DISPOSITION OF AIR FORCE HEALTH**

2 **STUDY.**

3 (a) **STUDY REQUIRED.**—The Secretary of Veterans
4 Affairs shall, in accordance with this section, carry out
5 a study to determine the appropriate disposition of the Air
6 Force Health Study, an epidemiologic study of Air Force
7 personnel who were responsible for conducting aerial spray
8 missions of herbicides during the Vietnam era.

9 (b) **STUDY THROUGH NATIONAL ACADEMY OF**
10 **SCIENCES.**—Not later than 60 days after the date of the
11 enactment of this Act, the Secretary shall seek to enter
12 into an agreement with the National Academy of Sciences,
13 or another appropriate scientific organization, to carry out
14 the study required by subsection (a).

15 (c) **ELEMENTS.**—Under the study under subsection
16 (a), the National Academy of Sciences, or other appro-
17 priate scientific organization, shall address the following:

18 (1) The scientific merit of retaining and main-
19 taining the medical records, other study data, and
20 laboratory specimens collected in the course of the
21 Air Force Health Study after the currently-sched-
22 uled termination date of the study in 2006.

23 (2) Whether or not any obstacles exist to re-
24 taining and maintaining the medical records, other
25 study data, and laboratory specimens referred to in
26 paragraph (1), including privacy concerns.

1 (3) The advisability of providing independent
2 oversight of the medical records, other study data,
3 and laboratory specimens referred to in paragraph
4 (1), and of any further study of such records, data,
5 and specimens, and, if so, the mechanism for pro-
6 viding such oversight.

7 (4) The advisability of extending the Air Force
8 Health Study, including the potential value and rel-
9 evance of extending the study, the potential cost of
10 extending the study, and the Federal or non-Federal
11 entity best suited to continue the study if extended.

12 (5) The advisability of making the laboratory
13 specimens of the Air Force Health Study available
14 for independent research, including the potential
15 value and relevance of such research, and the poten-
16 tial cost of such research.

17 (d) REPORT.—Not later than 120 days after entering
18 into an agreement under subsection (b), the National
19 Academy of Sciences, or other appropriate scientific orga-
20 nization, shall submit to the Secretary and Congress a re-
21 port on the results of the study under subsection (a). The
22 report shall include the results of the study, including the
23 matters addressed under subsection (c), and such other
24 recommendations as the Academy, or other appropriate

1 scientific organization, considers appropriate as a result
2 of the study.

3 **SEC. 603. FUNDING OF MEDICAL FOLLOW-UP AGENCY OF**
4 **INSTITUTE OF MEDICINE OF NATIONAL**
5 **ACADEMY OF SCIENCES FOR EPIDEMIOLOG-**
6 **ICAL RESEARCH ON MEMBERS OF THE**
7 **ARMED FORCES AND VETERANS.**

8 (a) FUNDING.—(1) The Secretary of Veterans Af-
9 fairs and the Secretary of Defense shall each make avail-
10 able to the National Academy of Sciences in each of fiscal
11 years 2004 through 2013 the amount of \$250,000 for the
12 Medical Follow-Up Agency of the Institute of Medicine of
13 the Academy for purposes of epidemiological research on
14 members of the Armed Forces and veterans.

15 (2) The Secretary of Veterans Affairs shall make
16 available amounts under paragraph (1) for a fiscal year
17 from amounts available for the Department of Veterans
18 Affairs for that fiscal year.

19 (3) The Secretary of Defense shall make available
20 amounts under paragraph (1) for a fiscal year from
21 amounts available for the Department of Defense for that
22 fiscal year.

23 (b) USE OF FUNDS.—The Medical Follow-Up Agency
24 shall use funds made available under subsection (a) for

1 epidemiological research on members of the Armed Forces
2 and veterans.

3 (c) SUPPLEMENT NOT SUPPLANT.—Amounts made
4 available to the Medical Follow-Up Agency under this sec-
5 tion for a fiscal year for the purposes referred to in sub-
6 section (b) are in addition to any other amount made
7 available to the Agency for that fiscal year for those pur-
8 poses.

9 **TITLE VII—OTHER MATTERS**

10 **SEC. 701. TIME LIMITATIONS ON RECEIPT OF CLAIM INFOR-** 11 **MATION PURSUANT TO REQUESTS OF DE-** 12 **PARTMENT OF VETERANS AFFAIRS.**

13 (a) INFORMATION TO COMPLETE CLAIMS APPLICA-
14 TIONS.—Section 5102 is amended by adding at the end
15 the following new subsection:

16 “(c) TIME LIMITATION.—(1) If information that a
17 claimant and the claimant’s representative, if any, are no-
18 tified under subsection (b) is necessary to complete an ap-
19 plication is not received by the Secretary within one year
20 from the date such notice is sent, no benefit may be paid
21 or furnished by reason of the claimant’s application.

22 “(2) This subsection shall not apply to any applica-
23 tion or claim for Government life insurance benefits.”.

1 (b) CONSTRUCTION OF LIMITATION ON INFORMA-
2 TION TO SUBSTANTIATE CLAIMS.—Section 5103(b) is
3 amended—

4 (1) in paragraph (1), by striking “if such” and
5 all that follows through “application” and inserting
6 “such information or evidence must be received by
7 the Secretary within one year from the date such no-
8 tice is sent”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(3) Nothing in paragraph (1) shall be construed to
12 prohibit the Secretary from making a decision on a claim
13 before the expiration of the period referred to in that sub-
14 section.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall take effect as if enacted on November
17 9, 2000, immediately after the enactment of the Veterans
18 Claims Assistance Act of 2000 (Public Law 106–475; 114
19 Stat. 2096).

20 (d) PROCEDURES FOR READJUDICATION OF CERTAIN
21 CLAIMS.—(1) The Secretary of Veterans Affairs shall re-
22 adjudicate a claim of a qualified claimant if the request
23 for such readjudication is received not later than the end
24 of the one-year period that begins on the date of the enact-
25 ment of this Act.

1 (2) For purposes of this subsection, a claimant is
2 qualified within the meaning of paragraph (1) if the
3 claimant—

4 (A) received notice under section 5103(a) of
5 title 38, United States Code, requesting information
6 or evidence to substantiate a claim;

7 (B) did not submit such information or evi-
8 dence within a year after the date such notice was
9 sent;

10 (C) did not file a timely appeal to the Board of
11 Veterans' Appeals or the United States Court of Ap-
12 peals for Veterans Claims; and

13 (D) submits such information or evidence dur-
14 ing the one-year period referred to in paragraph (1).

15 (3) If the decision of the Secretary on a readjudica-
16 tion under this subsection is in favor of the qualified
17 claimant, the award of the grant shall take effect as if
18 the prior decision by the Secretary on the claim had not
19 been made.

20 (4) Nothing in this subsection shall be construed to
21 establish a duty on the part of the Secretary to identify
22 or readjudicate any claim that—

23 (A) is not submitted during the one-year period
24 referred to in paragraph (1); or

1 (B) has been the subject of a timely appeal to
 2 the Board of Veterans' Appeals or the United States
 3 Court of Appeals for Veterans Claims.

4 (e) CONSTRUCTION ON PROVIDING RENOTIFICA-
 5 TION.—Nothing in this section, or the amendments made
 6 by this section, shall be construed to require the Secretary
 7 of Veterans Affairs—

8 (1) to provide notice under section 5103(a) of
 9 such title with respect to a claim insofar as the Sec-
 10 retary has previously provided such notice; or

11 (2) to provide for a special notice with respect
 12 to this section and the amendments made by this
 13 section.

14 **SEC. 702. CLARIFICATION OF APPLICABILITY OF PROHIBI-**
 15 **TION ON ASSIGNMENT OF VETERANS BENE-**
 16 **FITS TO AGREEMENTS REQUIRING PAYMENT**
 17 **OF FUTURE RECEIPT OF BENEFITS.**

18 Section 5301(a) is amended—

19 (1) by inserting “(1)” after “(a)”;

20 (2) by designating the last sentence as para-
 21 graph (2); and

22 (3) by adding at the end the following new
 23 paragraph:

24 “(3)(A) This paragraph is intended to clarify that,
 25 in any case where a beneficiary entitled to compensation,

1 pension, or dependency and indemnity compensation en-
2 ters into an agreement with another person under which
3 agreement such other person acquires for consideration
4 the right to receive such benefit by payment of such com-
5 pensation, pension, or dependency and indemnity com-
6 pensation, as the case may be, except as provided in sub-
7 paragraph (B), and including deposit into a joint account
8 from which such other person may make withdrawals, or
9 otherwise, such agreement shall be deemed to be an as-
10 signment and is prohibited.

11 “(B) Notwithstanding subparagraph (A), nothing in
12 this paragraph is intended to prohibit a loan involving a
13 beneficiary under the terms of which the beneficiary may
14 use the benefit to repay such other person as long as each
15 of the periodic payments made to repay such other person
16 is separately and voluntarily executed by the beneficiary
17 or is made by preauthorized electronic funds transfer pur-
18 suant to the Electronic Funds Transfers Act (15 U.S.C.
19 1693 et seq.).

20 “(C) Any agreement or arrangement for collateral for
21 security for an agreement that is prohibited under sub-
22 paragraph (A) is also prohibited and is void from its incep-
23 tion.”.

1 **SEC. 703. SIX-YEAR EXTENSION OF ADVISORY COMMITTEE**
2 **ON MINORITY VETERANS.**

3 Section 544(e) is amended by striking “December 31,
4 2003” and inserting “December 31, 2009”.

5 **SEC. 704. TEMPORARY AUTHORITY FOR PERFORMANCE OF**
6 **MEDICAL DISABILITIES EXAMINATIONS BY**
7 **CONTRACT PHYSICIANS.**

8 (a) **AUTHORITY.**—Using appropriated funds, other
9 than funds available for compensation and pension, the
10 Secretary of Veterans Affairs may provide for the conduct
11 of examinations with respect to the medical disabilities of
12 applicants for benefits under laws administered by the
13 Secretary by persons other than Department of Veterans
14 Affairs employees. The authority under this section is in
15 addition to the authority provided in section 504(b) of the
16 Veterans’ Benefits Improvement Act of 1996 (Public Law
17 104–275; 38 U.S.C. 5101 note).

18 (b) **PERFORMANCE BY CONTRACT.**—Examinations
19 under the authority provided in subsection (a) shall be
20 conducted pursuant to contracts entered into and adminis-
21 tered by the Under Secretary for Benefits.

22 (c) **EXPIRATION.**—The authority in subsection (a)
23 shall expire on December 31, 2009. No examination may
24 be carried out under the authority provided in that sub-
25 section after that date.

1 (d) REPORT.—Not later than four years after the
2 date of the enactment of this Act, the Secretary shall sub-
3 mit to Congress a report on the use of the authority pro-
4 vided in subsection (a). The Secretary shall include in the
5 report an assessment of the effect of examinations under
6 that authority on the cost, timeliness, and thoroughness
7 of examinations with respect to the medical disabilities of
8 applicants for benefits under laws administered by the
9 Secretary.

10 **SEC. 705. FORFEITURE OF BENEFITS FOR SUBVERSIVE AC-**
11 **TIVITIES.**

12 (a) ADDITION OF CERTAIN OFFENSES.—Paragraph
13 (2) of section 6105(b) is amended—

14 (1) by inserting “175, 229,” after “sections”;
15 and

16 (2) by inserting “831, 1091, 2332a, 2332b,”
17 after “798,”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall apply to claims filed after the date
20 of the enactment of this Act.

21 **SEC. 706. TWO-YEAR EXTENSION OF ROUND-DOWN RE-**
22 **QUIREMENT FOR COMPENSATION COST-OF-**
23 **LIVING ADJUSTMENTS.**

24 Sections 1104(a) and 1303(a) are each amended by
25 striking “2011” and inserting “2013”.

1 **SEC. 707. CODIFICATION OF REQUIREMENT FOR EXPEDI-**
2 **TIOUS TREATMENT OF CASES ON REMAND.**

3 (a) CASES REMANDED BY BOARD OF VETERANS' AP-
4 PEALS.—(1) Chapter 51 is amended by adding at the end
5 of subchapter I the following new section:

6 **“§ 5109B. Expedited treatment of remanded claims**

7 “The Secretary shall take such actions as may be
8 necessary to provide for the expeditious treatment by the
9 appropriate regional office of the Veterans Benefits Ad-
10 ministration of any claim that is remanded to a regional
11 office of the Veterans Benefits Administration by the
12 Board of Veterans' Appeals.”.

13 (2) The table of sections at the beginning of such
14 chapter is amended by inserting after the item relating
15 to section 5109A the following new item:

“5109B. Expedited treatment of remanded claims.”.

16 (b) CASES REMANDED BY COURT OF APPEALS FOR
17 VETERANS CLAIMS.—(1) Chapter 71 is amended by add-
18 ing at the end the following new section:

19 **“§ 7112. Expedited treatment of remanded claims**

20 “The Secretary shall take such actions as may be
21 necessary to provide for the expeditious treatment by the
22 Board of any claim that is remanded to the Secretary by
23 the Court of Appeals for Veterans Claims.”.

1 (2) The table of sections at the beginning of such
2 chapter is amended by adding at the end the following
3 new item:

“7112. Expedited treatment of remanded claims.”.

4 (c) REPEAL OF SOURCE SECTION.—Section 302 of
5 the Veterans’ Benefits Improvement Act of 1994 (Public
6 Law 103–446; 108 Stat. 4658; 38 U.S.C. 5101 note) is
7 repealed.

8 **SEC. 708. TECHNICAL AND CLERICAL AMENDMENTS.**

9 (a) MISCELLANEOUS AMENDMENTS.—(1) Section
10 103(d) is amended—

11 (A) in paragraph (4)—

12 (i) in the matter preceding subparagraph
13 (A), by striking “this subsection” and inserting
14 “paragraph (2)(A) or (3)”; and

15 (ii) in subparagraph (A), by striking
16 “paragraph (2)” and inserting “paragraph
17 (2)(A)”; and

18 (B) in paragraph (5), by striking “Paragraphs
19 (2)” and inserting “Paragraphs (2)(A)”.

20 (2) Section 1729A is amended—

21 (A) in subsection (b), by striking “after June
22 30, 1997,” in the matter preceding paragraph (1);

23 (B) in subsection (c), by striking paragraph (3);

24 (C) by striking subsection (e); and

1 (D) by redesignating subsection (f) as sub-
2 section (e).

3 (3) Section 1804(c)(2) is amended by striking “sub-
4 section” and inserting “section”.

5 (4) Section 1974(a)(5) is amended by striking “Sec-
6 retary of Transportation” and inserting “Secretary of
7 Homeland Security”.

8 (b) AMENDMENTS RELATING TO THE JOBS FOR VET-
9 ERANS ACT.—(1)(A) Subsection (c)(2)(B)(ii) of section
10 4102A is amended by striking “October 1, 2002” and in-
11 serting “October 1, 2003”.

12 (B) The amendment made by subparagraph (A) shall
13 take effect as if included in the enactment of section 4(a)
14 of the Jobs for Veterans Act (Public Law 107–288; 116
15 Stat. 2038).

16 (2) Subsection (f)(1) of section 4102A is amended
17 by striking “6 months after the date of the enactment of
18 this section,” and inserting “May 7, 2003,”.

19 (c) AMENDMENTS RELATING TO THE ESTABLISH-
20 MENT OF SOCIAL SECURITY ADMINISTRATION AS AN
21 INDEPENDENT AGENCY.—(1) Section 1322 is amended—

22 (A) in subsection (a), by striking “Secretary of
23 Health and Human Services” and all that follows
24 through the period and inserting “Commissioner of
25 Social Security, and shall be certified by the Com-

1 missioner to the Secretary upon request of the Sec-
2 retary.”; and

3 (B) in subsection (b)—

4 (i) by striking “Secretary of Health and
5 Human Services” in the first sentence and in-
6 serting “Commissioner of Social Security”;

7 (ii) by striking “the two Secretaries” and
8 inserting “the Secretary and the Commis-
9 sioner”; and

10 (iii) by striking “Secretary of Health and
11 Human Services” in the second sentence and
12 inserting “Commissioner”.

13 (2) Section 5101(a) is amended by striking “Sec-
14 retary of Health and Human Services” and inserting
15 “Commissioner of Social Security”.

16 (3) Section 5317 is amended by striking “Secretary
17 of Health and Human Services” in subsections (a), (b),
18 and (g) and inserting “Commissioner of Social Security”.

19 (4)(A) Section 5318 is amended—

20 (i) in subsection (a), by striking “Department
21 of Health and Human Services” and inserting “So-
22 cial Security Administration”; and

23 (ii) in subsection (b)—

1 (I) by striking “Department of Health and
 2 Human Services” and inserting “Social Secu-
 3 rity Administration”;

4 (II) by striking “Secretary of Health and
 5 Human Services” the first place it appears and
 6 inserting “Commissioner of Social Security”;

7 (III) by striking “Secretary of Health and
 8 Human Services” the second place it appears
 9 and inserting “Commissioner”; and

10 (IV) by striking “such Secretaries” and in-
 11 serting “the Secretary and the Commissioner”.

12 (B)(i) The heading of such section is amended to read
 13 as follows:

14 **“§5318. Review of Social Security Administration**
 15 **death information”.**

16 (ii) The item relating to that section in the table of
 17 sections at the beginning at chapter 53 is amended to read
 18 as follows:

“5318. Review of Social Security Administration death information.”.